

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
BRENT LEE NEWBOLD,
Debtor.

Case No. 2:23-MC-00426-DJC-JDP

**[PROPOSED] FINDINGS AND
RECOMMENDATIONS FOR FINAL
ORDER OF CONTINUING GARNISHMENT**

Criminal Case No. 2:14-CR-00223-JAM

TOMS SIERRA COMPANY, INC.,
Garnishee.

The Court, having reviewed its files and the United States' Request for Findings and
Recommendations for Final Order of Continuing Garnishment, and good cause appearing, hereby
recommends a Final Order of Continuing Garnishment be granted.

Accordingly, IT IS RECOMMENDED that:

1. The United States' Request for Findings and Recommendations for Final Order of Continuing Garnishment be GRANTED:

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2. Toms Sierra Company, Inc., be directed to pay the Clerk of the United States District Court all of the funds in the accounts held by Garnishee in which Debtor has an interest within fifteen (15) days of the filing of the Final Order. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

Office of the Clerk
501 I St., Rm. 4-200
Sacramento, CA 95814

The criminal docket number (2:14-CR-00223-JAM) shall be stated on the payment instrument;

3. The United States be entitled to recover a \$275,699.60 litigation surcharge after satisfaction of the judgment amount owed by Brent Lee Newbold;

4. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and

5. The garnishment shall terminate when the payment is deposited with the Clerk of the Court.

These findings and recommendations are submitted to the United States District Judge assigned to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) days, after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the specified time may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

IT IS SO ORDERED

Dated: October 24, 2024

Jeremy Peterson
JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE